

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re:
KRISJENN RANCH, LLC,
Debtor

§§§§

Chapter 11

Case No. 20-50805

**KRISJENN RANCH, LLC and
KRISJENN RANCH, LLC-SERIES
UVALDE RANCH, and KRISJENN
RANCH, LLC-SERIES PIPELINE
ROW as successors in interest to
BLACKDUCK PROPERTIES, LLC,
*Plaintiffs***

[illegible]

V.

**DMA PROPERTIES, INC., and
LONGBRANCH ENERGY, LP,
Defendants**

Adversary No. 20-05027

DMA PROPERTIES, INC,
Cross-Plaintiff/Third Party Plaintiff

§ § § § § § § § § §

V.

**KRISJENN RANCH, LLC,
KRISJENN RANCH, LLC-SERIES
UVALDE RANCH, and KRISJENN
RANCH, LLC-SERIES PIPELINE ROW,
BLACK DUCK PROPERTIES, LLC,
LARRY WRIGHT, and JOHN TERRILL,
*Cross-Defendants/Third-Party
Defendants***

Adversary No. 20-05027

**KRISJENN RANCH, LLC, KRISJENN RANCH, LLC-SERIES UVALDE RANCH, AND
KRISJENN RANCH, LLC-SERIES PIPELINE ROW, AS SUCCESSORS IN INTEREST
TO BLACK DUCK PROPERTIES, LLC’S MOTION REQUESTING EXPEDITED
CONSIDERATION OF MOTION TO COMPEL DISCOVERY RESPONSES FROM
DMA PROPERTIES, INC. AND FRANK DANIEL MOORE**

DEBTOR HAS REQUESTED EXPEDITED CONSIDERATION OF THIS MOTION AND HAS REQUESTED THAT A HEARING BE HELD ON THIS MOTION AT THE COURT'S EARLIEST CONVENIENCE. IF THE COURT IN FACT SETS THIS MOTION FOR AN EXPEDITED HEARING, THEN ONLY ATTENDANCE AT THE HEARING IS NECESSARY TO PRESERVE YOUR RIGHTS

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COME NOW Debtors, Plaintiffs, and Counter-Defendants KrisJenn Ranch, LLC, KrisJenn Ranch, LLC-Series Uvalde Ranch, and KrisJenn Ranch, LLC-Series Pipeline Row (collectively the "Debtors"), and submit this Motion Requesting Expedited Consideration of Debtor's Motion to Compel Discovery Responses to the Debtors First and Second Discovery Requests to DMA Properties, Inc. ("DMA") and Frank Daniel Moore ("Moore") (the "Motion"), and in support thereof respectfully shows the Court as follows:

BACKGROUND

1. On August 19, 2020, the Debtors propounded their:

- a. First Set of Interrogatories to DMA;
- b. First Set of Interrogatories to Moore;
- c. Second Set of Requests for Production to DMA;
- d. First Set of Requests for Production to Moore; and
- e. Second Set of Requests for Production to Moore (collectively the "Discovery Requests").

2. On September 21, 2020, approximately thirty-three days later, DMA and Moore served their responses to the Discovery Requests. True and correct copies of the responses are attached hereto as Exhibits A, B, C, D, and E, respectively (collectively the "Second Discovery Responses").

3. Prior, on June 5, 2020, the Debtors propounded their First Set of Requests for Production to DMA. The parties agreed to an extension of time to respond. On July 21, 2020 DMA provided its responses and objections. A true and correct copy of DMA's responses are attached hereto as Exhibit F (Exhibits A through F are collectively referred to as the "Discovery Responses").

4. On September 23, 2020, counsel for Debtors indicated that they would be withdrawing notices of intent to depose Moore and the corporate representatives of DMA and SCMED Oilfield Consulting, Inc. ("SCMED"), previously scheduled on September 25, 2020, on the basis that written discovery objections and document production issues remained outstanding. Additionally, Debtors requested, but not received, alternative deposition dates for Moore, DMA, and SCMED.

5. On August 21, 2020 DMA produced a number of disorganized documents, merged into a single PDF file. These documents, Bates labeled DMA 000001-005824, have never been identified or referenced in any written discovery response in this case.

6. Discovery in this matter is set to close on November 18, 2020. As such, the time to produce and process responsive documents and depose the Third-Party Plaintiffs will soon conclude.

7. On October 20, 2020, Debtors filed Motion to Compel Discovery Responses from DMA Properties, Inc. and Frank Daniel Moore [Doc. 108].

8. The Court has the motion for hearing set on November 16, 2020 at 2:00 p.m., two days prior to the end of discovery.

RELIEF REQUESTED

9. Debtors request expedited consideration of their Motion to Compel Discovery Responses to the Debtors First and Second Discovery Requests to DMA Properties, Inc. and Frank Daniel Moore.

WHEREFORE, PREMISES CONSIDERED, Debtor respectfully requests that the Court grant this request and set the Motion to Compel Discovery Responses to the Debtors First and Second Discovery Requests to DMA Properties, Inc. and Frank Daniel Moore to be heard at the Court's earliest convenience.

Dated: October 21, 2020

Respectfully submitted,

MULLER SMEBERG, PLLC

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ATTORNEY FOR DEBTORS

CERTIFICATE OF CONFERENCE

I hereby certify that on October 23, 2020 I conferred with counsel for DMA Properties, Inc. and LongBranch Energy, LP about the relief requested in this motion. Upon such conference, counsel has indicated that they are opposed to the relief requested in the above motion.

/s/ John Muller
C. John Muller IV

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record by way of e-service through the CM/ECF system by notice of electronic filing or via email on the 26th day of October 2020:

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